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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
10/604,336	07/11/2003	Ulf STEFANSSON	6730.054.PCUS00	1335		
28694	7590	03/03/2009	EXAMINER			
NOVAK DRUCE + QUIGG LLP 1300 EYE STREET NW SUITE 1000 WEST TOWER WASHINGTON, DC 20005				PATEL, VISHAL A		
ART UNIT		PAPER NUMBER				
3676						
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/604,336	STEFANSSON, ULF
	Examiner	Art Unit
	Vishal Patel	3676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 11/7/08.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-21 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ . | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sumitomo (B1 of form 1449, see attached figure) in view of Nathan (US. 2,615,741).

Sumitomo discloses a component assembly having a first part, a second part and a sealing member consisting of a sealing strip made of substantially incompressible material and having a solid cross-section, the sealing strip exhibits a substantially constant width (width of 20) along the main portion of the length (length that is annular shown in figure 1), a plurality of discrete protrusions (e.g. 22) being placed in a groove of the first part, the protrusions have recesses (e.g. recesses on both sides of 21), the protrusions having a upper delimitation surface and a lower delimitation surface (top and bottom surface of 22 that face 17 and 19), the sealing strip having an upper delimitation surface and a lower delimitation surface (top and bottom surfaces of 20), the protrusions having a height (height of protrusion that is received in the recess) and the height being between the delimitations surfaces of the protrusion. The protrusions having an inner surface (inner surface adjacent to 17a) having a curvature (curvature of surface of the protrusion facing 20) and an outer surface (surface facing toward 13). The sealing strip is capable of being installed in the groove, the protrusion are capable of being pinched and configure to facilitate installation.

Sumitomo discloses the invention substantially as claimed above but fails to disclose that the protrusion have enclosed recesses and the recesses being delimited by the side surface of the sealing strip and the inner sides of the protrusions. Nathan discloses a sealing strip having a width, length and height. The sealing strip having protrusions (15). The protrusions being solid and extending from a side of the sealing strip (figure 1). The sealing strip having protrusion (15a) being hollow (as shown in figure 3). The reason of being hollow is to provide self-energizing protrusions. It would have been obvious to one having ordinary skill in the art at the time the invention was made to configure the protrusion of Sumitomo to have an enclosed recess which is delimited by the side surface of the sealing strip and the inner side of the protrusion (e.g. since the protrusion 22 of Sumitomo will have a through hole and the wall of the hole will be delimited by the sealing strip surface and inner side of the hole which is part of the protrusion) as taught by Nathan, to provide solid protrusion or hollow protrusion is considered to be art equivalent and furthermore to having hollow protrusion make the protrusions self energizing (column 3, line 22).

Response to Arguments

2. Applicant's arguments filed 1/22/08 have been fully considered but they are not persuasive.

Applicants' argument that the reference of Sumitomo does not disclose an enclosed recess that is delimited by side surface of the sealing strip and side surface of the protrusion is correct but this is taught by Nathan, since Nathan discloses to have a protrusion that has a recess which is delimited by side surface of the sealing strip and side surface of the protrusion (e.g. as

seen in figure the protrusion 15a has a recess that is a through the protrusion similar to what applicant has shown a through hole 8 in a protrusion).

Applicants' argument that by combining Sumitomo and Nathan the protrusion would allow the sealing strip to pull out of the channel 22 is not persuasive because the size of the protrusion is the same but to provide some resiliency and spring back action one would provide the lead through the protrusion. Furthermore combining the references would provide a protrusion with a size of Sumitomo and having a lead through as taught by Nathan would provide easy insertion and spring back action to prevent the protrusion from dislodging from the channel 22 of Sumitomo.

Applicants' argument to hindsight is not persuasive because as stated in Nathan to have a lead through a protrusion provides self-energizing protrusions (15a).

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vishal Patel whose telephone number is 571-272-7060. The examiner can normally be reached on 6:30am to 8:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jennifer H. Gay can be reached on 571-272-7029. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/V. P./
Primary Examiner, Art Unit 3676

/Vishal Patel/
Primary Examiner, Art Unit 3676